

## CHAPTER 90

# WATER SERVICE SYSTEM

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**90.01 DEFINITIONS.** The following terms are defined for use in the chapters in this Code of Ordinances pertaining to the Water Service System:

1. "Combined service account" means a customer service account for the provision of two or more utility services.
2. "Customer" means, in addition to any person receiving water service from the City, the owner of the property served, and as between such parties the duties, responsibilities, liabilities and obligations hereinafter imposed shall be joint and several.
3. "Superintendent" means the Municipal Utilities Superintendent of the City or any duly authorized assistant, agent or representative.
4. "Water main" means a water supply pipe provided for public or community use.
5. "Water service pipe" means the pipe from the water main to the building served.
6. "Water system" or "water works" means all public facilities for securing, collecting, storing, pumping, treating, and distributing water.

**90.02 SUPERINTENDENT'S DUTIES.** The Superintendent shall supervise the installation of water service pipes and their connection to the water main and enforce all regulations pertaining to water services in the City in accordance with this chapter. This chapter shall apply to all replacements of existing water service pipes as well as to new ones. The Superintendent shall make such rules, not in conflict with the provisions of this chapter, as may be needed for the detailed operation of the water system, subject to the approval of the Council. In the event of an emergency the Superintendent may make temporary rules for the protection of the system until due consideration by the Council may be had.

*(Code of Iowa, Sec. 372.13[4])*

**90.03 MANDATORY CONNECTIONS.** All residences and business establishments within the City limits intended or used for human habitation, occupancy or use shall be connected to the public water system, if it is reasonably available and if the building is not furnished with pure and wholesome water from some other source.

**90.04 ABANDONED CONNECTIONS.** When an existing water service is abandoned or a service is renewed with a new tap in the main, all abandoned connections with the mains shall be turned off at the corporation cock and made absolutely watertight.

**90.05 PERMIT.** Before any person makes a connection with the public water system, a written permit must be obtained from the City. The application for the permit shall include a legal description of the property, the name of the property owner, the name and address of the person who will do the work, and the general uses of the water. If the proposed work meets all the requirements of this chapter and if all fees required under this chapter have been paid, the permit shall be issued. Work under any permit must be completed within 60 days after the permit is issued, except that when such time is inequitable or unfair due to conditions beyond the control of person making the application, an extension of time within which to complete the work may be granted. The permit may be revoked at any time for any violation of these chapters.

**90.06 FEE FOR PERMIT.** Before any permit is issued the person who makes the application shall pay \$150.00 to the Clerk to cover the cost of issuing the permit and supervising, regulating, and inspecting the work.

*(Code of Iowa, Sec. 384.84)*

**90.07 COMPLIANCE WITH PLUMBING CODE.** The installation of any water service pipe and any connection with the water system shall comply with all pertinent and applicable provisions, whether regulatory, procedural or enforcement provisions of the City's Plumbing Code and Design Standards.

**90.08 INSTALLATION OF SERVICE PIPES.** All service pipes and fixtures from the street water main to the premises, including the corporation stop at the main, shall be installed at the expense of the property owner by a licensed plumber, pipe layer or contractor to the required City specifications. The Superintendent shall have the power to suspend the approval of any contractor for violation of any of the provisions of this chapter; a suspension, unless revoked, shall continue until the next regular meeting of the Council. The Superintendent shall notify the contractor immediately by personal written notice of the suspension, the reasons for the suspension and the time and place of the Council meeting at which the contractor will be granted a hearing. At this Council meeting the Superintendent shall make a written report to the Council stating the reasons for the suspension, and the Council, after a fair hearing, shall affirm or revoke the suspension or take any further action that is necessary and proper. The contractor shall provide a corporate surety liability bond or insurance for personal injuries for \$1,000,000.00 per injury, \$2,000,000.00 per occurrence and \$1,000,000.00 property damage, secured by a responsible surety bonding company authorized to operate within the State, conditioned to indemnify and save harmless the City against all losses or damages that may arise from or be occasioned by the making of connections with the public water system or excavations therefor or by carelessness, negligence or unskillfulness in making the same. Upon expiration, insurance shall remain in force as to all penalties, claims and demands that may have occurred thereunder prior to such expiration.

**90.09 EXCAVATIONS.** All trench work, excavation and backfilling required in making a connection shall be performed in accordance with the excavation provisions of the City's Plumbing Code and/or the provisions of Chapter 135.

**90.10 TAPPING MAINS.** All taps into water mains shall be made by or under the direct supervision of the Superintendent and in accord with the following:

1. Independent Services. No more than one house, building or premises shall be supplied from one tap unless special written permission is obtained from the Superintendent and unless provision is made so that each house, building or premise may be shut off independently of the other.
2. Sizes and Location of Taps. All mains shall receive no larger than a one inch tap. Where a larger connection than a one-inch tap is desired, two or more small taps or saddles shall be used, as the Superintendent shall order. All taps in the mains shall be made at or near the top of the pipe, at least 18 inches apart. No main shall be

tapped nearer than two feet of the joint in the main. Service saddles are required on all taps.

3. Corporation Cock. A brass corporation cock, of the pattern and weight approved by the Superintendent, shall be inserted in every tap in the main. The corporation cock in the main shall in no case be smaller than one size smaller than the service pipe.

4. Location Record. An accurate and dimensional sketch showing the exact location of the tap shall be filed with the Superintendent in such form as the Superintendent shall require.

*(Code of Iowa, Sec. 372.13[4])*

**90.11 WATER SERVICE PIPE.** Water service pipes shall be installed in accordance with the City's Plumbing Code, the City's Design Standards, and the following:

1. That portion of the water service pipe from the water main to the meter, up to two inches in size inclusive, must be laid with copper pipe or Polyethylene flexible pipe SDR-9 CTS (Copper Tube Size) Class 200 PSI tubing with SS Liner (stiffener) and Tracer wire. Polyethylene pipe shall conform to AWWA C-901 standard and ASTM D-2737.

2. If polyethylene tubing SDR-9 CTS is to be installed in place of copper tubing, the SDR-9 CTS shall be installed as listed below:

A. Fittings used on polyethylene pipe shall be as listed below or equal to:

(1) Corporation Stop. To be AY McDonald 4701B-22 full port ball valve or equal.

(2) Curb Stop. To be AY McDonald 6100-22 full port ball valve or equal.

(3) Meter Valve. A meter valve AY McDonald 4602B-22 or 6100 MW-22 full port ball valve with lock wing to be installed inside the structure so as to receive City water meter directly.

B. All brass fittings must be 300 PSI rate. As of January 2014, per EPA Ground Water Rules, all contractors will have to conform to low lead or no lead brass.

C. At the time of installation, the water service shall be one continual piece of tubing without splices or connections from the corporation to the curb stop and one continual piece from the curb stop to the meter valve located inside the structure. There shall be no splices or connection under the footing or flooring made in the water service tubing.

3. Copper pipe used in service connections shall conform to federal specifications for type K copper and shall be cold drawn seamless tubing with a proper bending temper so that a full section shall withstand being bent cold through 189 degrees without cracking on the outside of the bent portion around a pin the diameter of which is one and one-half the inside diameter of the copper pipe. The purity of the copper used shall be at least 99.9 percent and shall have a tensile strength of 30,000 pounds per square inch with a minimum elongation one inch in four inches. The minimum weights and thicknesses of copper service pipe per foot length shall be as follows:

A. 3/4-inch weight 0.64 pounds, thickness 0.065 inches.

B. 1 inch weight 0.838 pounds, thickness 0.065 inches.

C. 1 1/4 inches weight 1.036 pounds thickness 0.065 inches.

- D. 1 1/2 inches weight 1.360 pounds thickness 0.072 inches.
- E. 2 inches weight 2.062 pounds thickness 0.083 inches.
- F. 2 1/2 inches weight 2.292 pounds thickness 0.095 inches.

4. All water pipes must comply with the latest published edition of the American Water Works Association (AWWA) Standards. PE plastic pipe two inches or smaller SDR9 200 psi water service pipe. AWWA C900 - Polyvinyl Chloride (PVC) Pressure Pipe four inch through 12 inches for water.

5. No water service pipe or tap for any building shall be less than one inch in diameter, and pipes supplying sill cocks or hydrants outside of buildings shall not be less than one inch in diameter.

6. The size of service pipes shall be based on an average flow of 15 GPM.

7. Plumbers installing water service pipes shall close the curb shut off and leave it closed upon completion of their work, and when pipes are laid as stub ins only the plumbers shall close the end of the pipe or fitting with a tight metal plug or cap.

8. The size of the water service and supply pipes to dwellings shall be based on the following schedule:

A. Minimum size water service and supply pipes to single family dwellings, one inch diameter pipe.

B. Minimum size water service and supply pipes to apartment, motel, and hotel buildings at minimum of 50 pounds pressure per square inch:

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|-----|--------------------------|--|
| (1) | 2 to 4 dwelling units    | I.D. 1-inch diameter pipe                                  |
| (2) | 5 to 7 dwelling units    | I.D. 1 1/4-inch diameter pipe                              |
| (3) | 8 to 17 dwelling units   | I.D. 1 1/2-inch diameter pipe                              |
| (4) | 18 to 50 dwelling units  | I.D. 2-inch diameter pipe                                  |
| (5) | 51 to 100 dwelling units | I.D. 3-inch diameter pipe, as specified by the Water Dept. |

A. The Superintendent or authorized representative shall be consulted for pipe sizing for all pressures different than 50 pounds.

9. Water service pipes must be laid at least five- and one-half feet, but not more than six feet, below the surface of the ground. When pipes are laid in streets or ground subject to fixed grades where the surface of the ground is higher than the established grades, such pipes shall be so laid that the same will be at least five- and one-half feet, but not more than six feet, below the established grade. All PVC service pipes must be installed with tracer wire.

10. After a water service connection has been laid, no plumber or other person shall make any attachment or connection to it to serve other premises so as to connect the same with a water system, unless said person procures a written permit from the Council specifying the particular additions, repairs, or alterations to be made, and shall perform such work in conformity with such permit, and the rules and regulations of this chapter.

11. No water consumer shall conduct water pipes across lots or buildings to adjoining premises, but all service pipes shall be laid on streets, alleys, or public ground to the premises to be served and enter at the front or rear of the building nearest the main.

12. There shall be separate service pipes laid from the main to each building wherever there is a water main laid in front or rear of such buildings. Such service

pipe shall be laid in a straight line at right angles to the water main, and connection made within two lines drawn parallel to the sides of the building to be served and not more than three feet outside of these sides. Where services are laid to premises where there are no water mains available for direct connections, a small temporary main will be permitted to be laid as provided under Section 90.13 of this chapter. In all cases each building served must have an independent service shut off.

13. An existing water service may be used in connection with a new building only when they are found, on examination and test conducted by the owner and observed by the Superintendent to meet all requirements of this chapter or City Design Standards. All cost and expenses associated with the inspection and test conducted on the water service line shall be the responsibility of the owner. The connection of the new building to the existing water service will require the connection charge of \$150.00 as provided in Section 90.06.

**90.12 DEMOLITION OR REMOVAL OF STRUCTURES.** Structures cannot be demolished or removed from a City-platted lot which is served by City water until prior water service disconnect has been completed. Such a disconnect is to be at the stop-box for service which is to be used again and at the main for service which is abandoned. Anyone demolishing a structure must complete a permit application available at City Hall. No permit for demolition or removal will be issued by the City until the application for such permit has been signed by an authorized City Water Department representative.

**90.13 TEMPORARY MAINS.** Pipe laid temporarily in streets where there are no water mains will be installed under the direct supervision of the Water Department. Temporary mains shall be laid at the expense of the party to be served through same.

**90.14 RESPONSIBILITY FOR WATER SERVICE PIPE.** All costs and expenses incident to the installation, connection, and maintenance of the water service pipe from the main to the building served shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation or maintenance of said water service pipe.

**90.15 FAILURE TO MAINTAIN.** When any portion of the water service pipe which is the responsibility of the property owner becomes defective or creates a nuisance and the owner fails to correct such nuisance the City may do so and assess the costs thereof to the property. When a property owner becomes aware of a defect in the water service pipe, they will have up to 30 days make the necessary repair. If the water service line is discontinued due to lack of maintenance, the property owner will continue to be billed the minimum amounts for all City services provided through a combined service account.

*(Code of Iowa, Sec. 364.12[3a and h])*

**90.16 CURB STOP.** Curb stop boxes shall be installed in accordance with the City's Plumbing Code, the City's Design Standards, and the following:

1. A curb stop box and shut off for controlling the supply of water to customers shall be placed on every service. When connections are made in streets or avenues the stop box shall be placed 12 inches outside the sidewalk line on the street side; and when made in alleys it shall be placed 12 inches outside of the lot line. The cover of the box shall be maintained at the same height as the sidewalk or the surrounding ground. Where area walls or curb lines prevent the location of stop box and shut off at the point indicated, they shall be placed immediately within the area wall or curb line. All stop boxes must be set on a line drawn at right angles to the main through the service corporation or connection in the main.

2. Every service pipe must also have a ball valve placed in the building within nine inches of the point where the pipe enters the building. The valve shall be kept in working order at all times so that the water may be shut off by the occupant of the

premises. There shall also be a ball valve placed on the outlet side of the water meter not more than three feet from the meter, so that the meter can be taken out or replaced without draining the pipe system in the building. The meter and valves should be accessible from one location.

3. All stop cocks on the line of service must have round ways of the same diameter as the pipe with which they are placed, and proper handles for turning on and off, and be of a make and pattern approved by the Superintendent.

4. The stop box used shall be of a design approved by the Water Department and must have an unobstructed opening at least one and one-half inches in diameter and fitted with a substantial cover on which shall be marked the word "Water" in raised letters.

5. The outside shut off and stop box shall be under the sole control of the Water Department and no one except an employee or person specially authorized by the Water Department shall open the cover of such box or turn on or off water. Plumbers may turn on or off water for testing plumbing or making repairs, but whenever so used, the shut off must be left closed if found closed and open if found open by the plumber who uses it.

6. The owner or occupant of the premises where a water service is installed shall be held responsible for protection of the stop box on every service. The owner or occupant shall protect said box from any injury or interference from any person. In case of any injury to the stop box the owner or occupant shall give immediate notice to the Water Department or City Clerk.

7. Owners of premises having water service which do not have separate curb stop cocks and boxes for each building or which otherwise do not conform to the requirements in this chapter shall put in such curb stop cock or make such other changes as are necessary to conform to these requirements when so instructed by the Water Department.

8. There shall be no connections made on the water service pipe on the inlet side of the meter, unless approved by the Water Department and properly metered.

**90.17 INSPECTION AND APPROVAL.** All water service pipes and their connections to the water system must be inspected and approved in writing by the Superintendent before they are covered, and the Superintendent shall keep a record of such approvals. If the Superintendent refuses to approve the work, the plumber or property owner must proceed immediately to correct the work. Every person who uses or intends to use the municipal water system shall permit the Superintendent to enter the premises to inspect or make necessary alterations or repairs at all reasonable hours and on proof of authority.

**90.18 COMPLETION BY THE CITY.** Should any excavation be left open or only partly refilled for 24 hours after the water service pipe is installed and connected with the water system, or should the work be improperly done, the Superintendent shall have the right to finish or correct the work, and the Council shall assess the costs to the property owner or the plumber. If the plumber is assessed, the plumber must pay the costs before receiving another permit, and the plumber's bond or cash deposit shall be security for the assessment. If the property owner is assessed, such assessment may be collected with and in the same manner as general property taxes.

*(Code of Iowa, Sec. 364.12[3a and h])*

**90.19 SHUTTING OFF WATER SUPPLY.** The Superintendent may shut off the supply of water to any customer because of any violation of the regulations contained in these Water Service System chapters that is not being contested in good faith. The supply shall not be turned on again until all violations have been corrected and the Superintendent has ordered the water to be turned on.

**90.20 FIRE HYDRANTS.** No person, unless specifically authorized by the City, shall open, or attempt to draw water from any fire hydrant for any purpose whatsoever.

**90.21 WATER RESTRICTIONS.**

1. Water Shortages. From time to time during and following drought conditions, or due to equipment failure, or when the overall demand upon the City water supply system is so great as to endanger the public health, safety, and welfare, the City Council may declare a public Water Watch, Water Warning, or Water Emergency during which time the following measures and provisions shall be in effect to produce an orderly and equitable reduction of water consumption until the City Council declares the water shortage condition to be ended.. The restrictions shall be published in a newspaper of general circulation in the City and through electronic media to give notice to the public. The restrictions shall continue in effect for such period of time as provided in the resolution, or until the resolution is rescinded.
2. Conditions. A Water Watch, Warning, or Emergency may be declared when a water shortage or equipment failure poses a potential threat to the ability of the water system to meet the needs of its customers currently or in the foreseeable future.
  - A. Indicators of the need to impose a Watch or Warning include system operating at 60 percent of pumping capacity; significant decrease in the pumping water level of wells, or significant decrease in recovery rate of water levels in wells.
  - B. Indicators of the need to impose an Emergency include severe system emergencies such as a chemical spill or major system failure in feeder mains or treatment plant, prolonged power outages, or loss of one or more system wells.
3. Water Watch. Under a Water Watch, all customers of the City are encouraged to limit or curtail all nonessential uses of water to conserve precious water resources during the time of shortage. Customers may be encouraged to comply with the following voluntary standards:
  - A. No watering of lawns, shrubs, or gardens between the hours of 8:00 a.m. and 8:00 p.m.
  - B. No water should be used to fill private swimming pools, children's wading pools, reflecting pools, or any other outdoor pool or pond.
  - C. No water should be used to wash vehicles, streets, parking lots, driveways, sidewalks, or building exteriors.
  - D. Residents and developers are encouraged to refrain from seeding or sodding.
  - E. No filling, flushing, or testing of water mains or distribution systems, without the consent of the Public Works Director.
4. Warning. Under a Warning no person shall use potable processed water of the City water service in any manner contrary to the following:
  - A. Outdoor watering or irrigation of lawn is prohibited.
  - B. Watering or irrigation of flower and vegetable gardens, recreational uses, such as athletic fields, trees, and shrubs less than four years old and new seedling or sod less than one year old is permitted once per week with an application not to exceed one inch. Outdoor watering of any kind is prohibited between the hours of 8:00 a.m. and 8:00 p.m. daily.
  - C. Car washing is prohibited except in commercial establishments that provide that service.

D. No water shall be used to fill private swimming pools, children's wading pools, reflecting pools, or any other outdoor pool or pond.

E. No water shall be used to wash vehicles, streets, parking lots, driveways, sidewalks or building exteriors.

F. No filling, flushing, or testing of water mains or distribution systems, without the consent of the Municipal Utilities Superintendent.

G. Residents and developers are to refrain from seeding or sodding without the consent of the Municipal Utilities Superintendent.

1. Water reclaimed or recycled after some other primary use, such as water that has been used for washing or cooling, may be used without restriction. Additionally, water derived from sources other than the City water utility, such as water condensed from the atmosphere by air conditioners or collected from rain or snow or private cisterns, may be used without restrictions.

5. Emergency. Under an Emergency, base allocations will be in effect. No person shall use potable processed water of the City in any manner contrary to the following:

A. All outside water use, except for domestic, sanitation, and fire, is prohibited.

B. All commercial and industrial uses of water not essential in providing products or services are prohibited.

C. Recreational and leisure water use, including lawn and other incidental or recreational use, is prohibited.

D. Water use not necessary for the preservation of life or the general welfare of the community is prohibited.

6. Penalties. The following penalties shall apply for violation of the Water Watch, Warning or Emergency use restrictions imposed under this section.

A. First Violation. For a first violation, the City shall issue a written notice of violation to the water user violating the water use restrictions imposed during a Water Watch, Warning or Emergency.

B. Second Violation. For a second violation within a 12-month period, a municipal infraction will be charged not to exceed \$750.00.

C. Subsequent Violations. For any subsequent violation within a 12-month period, a municipal infraction violation will be charged not to exceed \$1,000.00 or severance of water service for a period not to exceed 30 days. The City Water Department shall interrupt water service to that customer at the premises at which the violation occurred. Services shall not be restored until the customer has provided reasonable assurance that future violations of Water Watch, Warning or Emergency use restrictions will not occur.

Any customer charged with a violation of the Water Watch, Warning or Emergency use restrictions may request a hearing before the City Council. The City Council may conclude that a violation did not occur or that the circumstances under which the violation occurred warrant a complete or partial mitigation of the penalty. Note: Under an Emergency, use restrictions will be in effect and, in addition, each customer will be afforded a quarterly allocation of water.

7. Reduction in Flow of Water to Any Person. The Water Superintendent is authorized, after giving notice and opportunity for hearing before the City Council, to

reduce the flow of water to any person determined to be using water in any manner not in accordance with this section during a Water Warning or Emergency.

**90.22 EXTENSION OF LINES.** The City may construct extensions to its water lines to points within its service area, but the City shall not be required to make such installations unless the customer pays to the City an amount negotiated for the cost of the installation. All lines extensions shall be evidenced by a contract signed by the City and the person advancing funds for said extension. All decisions in connection with the manner of installation of any extension and maintenance thereof shall remain in the exclusive control of the City and no other person shall have any right, title, or interest therein.

**90.23 REFUSAL OF SERVICE.** The City may refuse service to persons not presently customers when in the opinion of the City the capacity of the facilities will not permit such service.

**90.24 RESPONSIBILITY IN TURNING ON WATER.** In turning on water, the City shall not be responsible for any damage that may occur by reason of improper fixtures, open or improper connections, or for any other cause.

**90.25 USE OF EASEMENTS.** Each customer shall grant or convey or shall cause to be granted or conveyed to the City a permanent easement and right-of-way across any property owned or controlled by the customer wherever said easement or right-of-way is necessary for the municipal public water system, so as to be able to furnish service to the customer. The Superintendent and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the water works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

## CHAPTER 91

# WATER METERS

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| <ul style="list-style-type: none"><li>91.01 Purpose</li><li>91.02 Water Use Metered</li><li>91.03 Fire Sprinkler Systems- Exception</li><li>91.04 Interference with Meter Prohibited</li><li>91.05 Location of Meters; Setting</li><li>91.06 Meter Costs</li><li>91.07 Meter Repairs</li><li>91.08 Right of Entry</li><li>91.09 Meter Removal</li></ul> | <ul style="list-style-type: none"><li>91.10 Water for Construction Purposes</li><li>91.11 Free Service</li><li>91.12 Meter Accuracy and Test</li><li>91.13 Separate Meter for Outside Watering</li><li>91.14 Installation of Outside Water Service Meter</li><li>91.15 Outside Service Restricted</li><li>91.16 Separate Meter for Filling Swimming Pools,<br/>Hot Tubs, and Spas</li></ul> |
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**91.01 PURPOSE.** The purpose of this chapter is to encourage the conservation of water and facilitate the equitable distribution of charges for water service among customers.

**91.02 WATER USE METERED.** All water furnished customers shall be measured through meters furnished by the City and installed by the City.

**91.03 FIRE SPRINKLER SYSTEMS - EXCEPTION.** Fire sprinkler systems may be connected to water mains by direct connection without meters under the direct supervision of the Superintendent. No open connection can be incorporated in the system, and there shall be no valves except a main control valve at the entrance to the building which must be sealed open.

**91.04 INTERFERENCE WITH METER PROHIBITED.** No one shall in any way interfere with the proper registration of a water meter, and no one except an authorized employee of the Water Department shall break the seal of a meter, except the Water Department may grant written permits to plumbers in case of emergency to break such seal for draining pipes or stopping water leaks.

**91.05 LOCATION OF METERS; SETTING.** All meters shall be so located that they are easily accessible to meter readers and repairmen. The property owner shall provide all necessary piping and fittings for proper setting of the meter including a valve on the discharge side of the meter. Meter pits may be used only upon approval of the Superintendent and shall be of a design and construction approved by the Superintendent.

**91.06 METER COSTS.** At the sole option of the City, the property owner or customer may be required to pay the full cost of any meter larger than that required for a single-family residence prior to the installation of any such meter by the City. Also at the option of the City, the property owner or customer may be required to install such meter in accordance with requirements established by the City. This excludes the costs of a separate meter for outside watering which the property owner may purchase and install at their own expense.

**91.07 METER REPAIRS.** The owner or occupant of premises where a meter is installed shall be held responsible for its care and protection from freezing or hot water and from other injury or interference from any person. In case of any injury to the meter or in case of its stoppage or imperfect working the customer shall give immediate notice to the Water Department. In all cases where meters are broken or damaged by negligence of owners or occupants of premises, or by freezing, hot water or other injuries except ordinary wear and tear, the necessary repairs to the meter shall be made by the Water Department and the cost of such repairs paid for by such owner

or occupant, and in case payment is not made, the water supply shall be turned off and shall not be turned on until full payment has been made, together with a charge for turning on the water again. Damaged meters may be repaired by the Water Department without first giving notice thereof to the owners of premises served by such meter.

**91.08 RIGHT OF ENTRY.** Whenever necessary to make an inspection to enforce any ordinance, or whenever there is reasonable cause to believe that there exists an ordinance violation in any building or upon any premises within the jurisdiction of the City, any authorized official of the City, may, upon presentation of proper credentials, enter such building or premises at all reasonable times to inspect the same and to perform any duty imposed upon such official by ordinance; provided that, except in emergency situations, such official shall first give the owner and/or occupant, if they can be located after reasonable effort, 24-hour written notice of the authorized official's intention to inspect. In the event the owner and/or occupant refuses entry, the official is empowered to seek assistance from any court of competent jurisdiction in obtaining such entry.

**91.09 METER REMOVAL.** Wherever a water meter is installed on a water service in premises that are to be remodeled, removed or destroyed, or where the service is discontinued so that the water meter is no longer needed, the owner of such premises shall give notice to the Water Department to remove such meter and free access is given so that the meter may be removed. The owner of the premises shall be held responsible for the meter until removed by the Water Department, and if the meter is not available or cannot be located, said owner shall be required to pay for the same at the actual value.

**91.10 WATER FOR CONSTRUCTION PURPOSES.** Water for building or construction purposes shall be furnished by meter measurement, only after suitable deposit has been made (the minimum deposit being \$50.00 and the amount to be determined by the City, depending upon the size of the construction work contemplated). All water for building or construction purposes, as set forth in the permit, must pass through one and the same meter. Water so supplied shall be discharged through a hose or pipe directly upon material to be wet or into a barrel or other container, and in no case upon the ground or into or through a ditch or trench, and all use of water by other than applicant or use of water for any purpose or upon any premises not so stated or described in the application must be prevented by the applicant or water service may be discontinued without notice.

**91.11 FREE SERVICE.** Free water shall be supplied only for the City fountains, street cleaning, City sponsored celebrations, fires, City buildings, cleaning City sewers, and for the park. The furnishing of free water to any institution or for any purpose, however, is not a vested right or privilege, and water shall not be wasted or used extravagantly for any purpose, and the Council may at any time by simple vote or resolution restrict, limit or entirely prohibit the free use of water by any institution or for any purpose, when the Council is satisfied that the water is being wasted or used without regard to the public welfare and the furnishing of free water is always under the control of the Council and may be discontinued, as above, whenever in the judgment of the Council the public interest requires such limitation or prohibition, on account of scarcity of water or any emergency requiring the conservation of City water.

**91.12 METER ACCURACY AND TEST.** A customer may make a request to the City Council for an accuracy test. An outside source shall provide the testing of the accuracy on any water meter. A refundable deposit of \$100.00 (or larger amount shall be set by the Council for meters over three-quarter inch) shall accompany the request guaranteeing payment of any and all costs. The meter test results shall meet the American Water Works Association Standard C700,

Cold-Water Meters-Displacement Type. A water meter must register at least 95 percent, but not more than 101 percent, of the volume of water passing through the meter at the low flow test rate. At all other flow rates within its normal range of flow, the meter must register at least 98.5 percent, but not more than 101.5 percent of the volume of water passing through the meter; the volume of water will be determined by the testing agency. If a meter does not meet the AWWA Standard C700, the City shall pay the cost of testing. A refund of the deposit and any overcharges shall be made to the customer that has been collected within the last 12 months.

**91.13 SEPARATE METER FOR OUTSIDE WATERING.** A customer may add a second water meter for the purpose of measuring water to be used from outside faucets and for outside watering. The meter must be installed where it measures only the water on outside faucets on the premises being served and the Superintendent must approve the location of such meter. The cost of the meter and its installation shall be at the expense of the customer.

**91.14 INSTALLATION OF OUTSIDE WATER SERVICE METER.** The following regulations shall apply to the installation of outside water meters:

1. Five-eighths water meter with readout.
2. Outside meters shall be installed not more than two feet from the prime meter and shall be installed parallel to the prime meter.
3. Outside meter setting must be made on the street side of the prime meter. The water lines must be separately valved and run directly to the outside faucet.
4. Shut-off valves are required ahead of and after the outside meter and must be within one foot of the meter.
5. A backflow preventer (approved by the City) to protect against contamination of the water system may be required.
6. Outside meter must be installed horizontal to the floor with the arrow of the meter being in the direction of the flow of water to the outside. No underground outside systems are allowed in the public right-of-way.
7. After installation, the Superintendent shall inspect and make a determination that the separate line will not discharge into the sanitary sewer system of the City.

**91.15 OUTSIDE SERVICE RESTRICTED.** In order to provide a fair and equitable program of outside water service, the following restrictions shall apply:

1. During any period in which the City determines that it is necessary to conserve water, all outside water meter services shall be disconnected immediately. Disconnection will be required by the City. Reconnection shall occur only when the water conservation period is over, as determined by the City. In the event of mandatory disconnection during water conservation periods, the fees as provided for in Section 99.02 shall be waived.
2. If at any time it is brought to the attention of the City that the customer is using the outside water meter to provide water for use in the house, the outside water meter shall be removed and the customer shall no longer be eligible for outside water service.
3. Any sign of meter tampering by the customer shall result in the immediate termination of outside water service.

**91.16 SEPARATE METER FOR FILLING SWIMMING POOLS, HOT TUBS, AND SPAS.** The City shall loan out a water meter than can be hooked to a garden hose for the sole

purpose of filling swimming pools, hot tubs, or spas. A customer may pick up a meter at City Hall, upon placing a \$150.00 deposit on file with the City Clerk; this meter may be loaned out for no more than four days. Upon returning the meter, the Clerk will calculate the water that has been consumed at the residential rate; customer will pay for the water at this time. A record will be kept on the gallons used so that amount may be adjusted on the next monthly bill.

## CHAPTER 92

### WATER RATES

92.01 Service Charges  
92.02 Rates and Service  
92.03 Water Consumption Estimated  
92.04 Service Outside the City  
92.05 Billing for Water Service  
92.06 Service Discontinued  
92.07 Lien for Nonpayment

92.08 Lien Exemption  
92.09 Lien Notice  
92.10 Customer Deposits  
92.11 Temporary Vacancy  
92.12 Emergency and/or Backup Water Usage Outside  
Corporate Limits

**92.01 SERVICE CHARGES.** Each customer shall pay for water service provided by the City based upon use of water as determined by meters provided for in Chapter 91. Each location, building, premises, or connection shall be considered a separate and distinct customer whether owned or controlled by the same person or not.

*(Code of Iowa, Sec. 384.84)*

**92.02 RATES AND SERVICE.** The City shall read the water meters monthly, manually or using the automated radio read system at an average of once every 30 days and as closely as possible to the first day of the month. The City may require and shall be granted access to the water meter. If access to the metering device(s) cannot be achieved, the City shall render a minimum monthly bill and notify the resident in writing. After three consecutive months of no access the customer shall be subject to disconnection under Section 92.06. Water service shall be furnished at the following monthly rates within the City:

*(Code of Iowa, Sec. 384.84)*

1. First 2,000 gallons used per month @ \$17.00 (minimum bill).
2. All over 2,000 gallons used per month at the following rate:
  - A. As of July 1, 2024, a 3.0 percent increase for a rate of \$0.00704 per gallon for all gallons used in excess of 2,000.
  - B. As of July 1, 2025, a 3.0 percent increase for a rate of \$0.00725 per gallon for all gallons used in excess of 2,000.
  - C. As of July 1, 2026, a 3.0 percent increase for a rate of \$0.00746 per gallon for all gallons used in excess of 2,000.
3. Bulk water sold is \$15.00 per 1,000 gallons.

The above rates shall apply to all properties who receive water service from the City of Shellsburg, Iowa and all bulk water sold.

*(Section 92.02 – Ord. 479 – Sep. 24 Supp.)*

**92.03 WATER CONSUMPTION ESTIMATED.** Where a meter has ceased to register or meter reading could not be obtained for whatever reason, the quantity of water consumed for billing purposes will be based on an average of the prior six months' consumption for that meter, and the conditions of water service prevailing during the period in which the meter readings were unobtainable. In the event the customer has not had six months' prior service, the average shall be based upon the prior consumption data available to the Clerk. The Superintendent or a designated employee of the City shall inspect and take a reading from the meter directly as provided in Chapter 91 and account billing corrected, as necessary.

**92.04 SERVICE OUTSIDE THE CITY.** Water service shall not be provided to any premises located outside the corporate limits of the City without first receiving approval from the Superintendent and a four out of five-majority vote of the Council. If at any time the water supply is endangered or becomes short, all services outside the corporate limits will be disconnected.

*(Code of Iowa, Sec. 364.4 and 384.84)*

**92.05 BILLING FOR WATER SERVICE.** Water service shall be billed as part of a combined service account, payable in accordance with the following:

*(Code of Iowa, Sec. 384.84)*

1. Bills Issued. The Clerk shall prepare and issue bills for combined service accounts on or before the fifteenth day of each month.
2. Bills Payable. Bills for combined service accounts shall be due and payable at the office of the Clerk by the last day of each month.
3. Late Payment Penalty. Bills not paid when due shall be considered delinquent. A late payment penalty of 10 percent of the amount due shall be added to each delinquent bill.
4. Returned Checks. A service charge of \$30.00 will be charged on all returned checks. A certified letter of notification will be sent giving 10 days to respond before the matter is turned over to the County Sheriff or small claims court. A bad check received on a delinquent account will constitute grounds for immediate shut-off with a \$30.00 reconnection fee required in cash paid in advance. Restitution for any bad checks will be in cash and payable to the Clerk during office hours.

**92.06 SERVICE DISCONTINUED.** Water service to delinquent customers shall be discontinued or disconnected in accordance with the following:

*(Code of Iowa, Sec. 384.84)*

1. Notice. The Clerk shall notify each delinquent customer that service will be discontinued or disconnected if payment of the combined service account, including late payment charges, is not received by the date specified in the notice of delinquency. Such notice shall be sent by ordinary mail near the first of each month to the customer in whose name the delinquent charges were incurred and shall inform the customer of the nature of the delinquency and afford the customer the opportunity for a hearing prior to the discontinuance or disconnection. The delinquent notice will require payment within seven days to avoid disconnection.

2. If bills are not paid in full by the date on the delinquent notice, a door tag is placed on the door of the residence. The door tag gives notice that water will be shut off if the utility bill is not paid in full the following day. The door hanger is not required as a condition to discontinue service and the failure of the City to provide a door hanger is not a defense to discontinuance of service.

3. Notice to Landlords. If the customer is a tenant, and if the owner or landlord of the property or premises has made a written request for notice, the notice of delinquency shall also be given to the owner or landlord. If the customer is a tenant and requests a change of name for service under the account, such request shall be sent to the owner or landlord of the property if the owner or landlord has made a written request for notice of any change of name for service under the account to the rental property.

4. Hearing. If a hearing is requested by noon of the day preceding the shut off, the Mayor shall conduct an informal hearing and shall decide as to whether the discontinuance or disconnection is justified. If the Mayor finds that discontinuance or disconnection is justified, then such discontinuance or disconnection shall be made, unless payment has been received.

5. Fees. A fee of \$30.00 will be charged to the customer if a door tag is posted to notify that service will be discontinued. An additional fee of \$30.00 will be charged to disconnect the service. A reconnection fee of \$30.00 will be charged should service be reinstated during normal business hours of 7:00 a.m. to 3:00 p.m. Monday through Friday, excluding holidays. If the service is reinstated outside these hours or during a holiday, the reconnection fee will be \$60.00.

6. Water is not turned back on until all overdue utility bills and fees are paid in full.

7. If the tenant or property owner continues to reside or do business at the property after the discontinuation of water service, they will continue to be billed the minimum amounts for all city services provided through a combined service account.

**92.07 LIEN FOR NONPAYMENT.** The owner of the premises served, and any lessee or tenant thereof shall be jointly and severally liable for water service charges to the premises. Water service charges remaining unpaid, and delinquent shall constitute a lien upon the premises served and shall be certified by the Clerk to the County Treasurer for collection in the same manner as property taxes. This lien may be imposed upon a property or premises even if services to the property or premises have been or may be discontinued as provided in this chapter.

*(Code of Iowa, Sec. 384.84)*

**92.08 LIEN EXEMPTION.**

*(Code of Iowa, Sec. 384.84)*

1. Water Service Exemption. The lien for nonpayment shall not apply to charges for water service to a residential or commercial rental property where water service is separately metered and the rates or charges for the water service are paid directly to the City by the tenant, if the landlord gives written notice to the City that the property is residential or commercial rental property and that the tenant is liable for the rates or charges. The City may require a deposit not exceeding the usual cost of 90 days of such services to be paid to the City. When the tenant moves from the rental property, the City shall refund the deposit if all service charges are paid in full. The lien exemption does not apply to delinquent charges for repairs related to any of the services.

2. Other Service Exemption. The lien for nonpayment shall also not apply to the charges for any of the services of sewer systems, stormwater drainage systems, sewage

treatment, solid waste collection, and solid waste disposal for a residential rental property where the charge is paid directly to the City by the tenant, if the landlord gives written notice to the City that the property is residential rental property and that the tenant is liable for the rates or charges for such service. The City may require a deposit not exceeding the usual cost of 90 days of such services to be paid to the City. When the tenant moves from the rental property, the City shall refund the deposit if all service charges are paid in full. The lien exemption does not apply to delinquent charges for repairs related to any of the services.

3. **Written Notice.** The landlord's written notice shall contain the name of the tenant responsible for charges, the address of the residential or commercial rental property that the tenant is to occupy, and the date that the occupancy begins. Upon receipt, the City shall acknowledge the notice and deposit. A change in tenant for a residential rental property shall require a new written notice to be given to the City within 30 business days of the change in tenant. A change in tenant for a commercial rental property shall require a new written notice to be given to the City within 10 business days of the change in tenant. A change in the ownership of the residential rental property shall require written notice of such change to be given to the City within 30 business days of the completion of the change of ownership. A change in the ownership of the commercial rental property shall require written notice of such change to be given to the City within 10 business days of the completion of the change of ownership.

4. **Mobile Homes, Modular Homes, and Manufactured Homes.** A lien for nonpayment of utility services described in Subsections 1 and 2 of this section shall not be placed upon a premises that is a mobile home, modular home, or manufactured home if the mobile home, modular home, or manufactured home is owned by a tenant of and located in a mobile home park or manufactured home community and the mobile home park or manufactured home community owner or manager is the account holder, unless the lease agreement specifies that the tenant is responsible for payment of a portion of the rates or charges billed to the account holder.

**92.09 LIEN NOTICE.** A lien for delinquent water service charges shall not be certified to the County Treasurer unless prior written notice of intent to certify a lien is given to the customer in whose name the delinquent charges were incurred. If the customer is a tenant and if the owner or landlord of the property or premises has made a written request for notice, the notice shall also be given to the owner or landlord. The notice shall be sent to the appropriate persons by ordinary mail not less than 30 days prior to certification of the lien to the County Treasurer.

*(Code of Iowa, Sec. 384.84)*

**92.10 CUSTOMER DEPOSITS.** There shall be required from every customer not the owner of the premises served or others having no established credit record, and from those who have an unacceptable credit record or who have a prior record of failure to pay utility bills, a \$72.00 deposit intended to guarantee the payment of bills for service. An occurrence or reoccurrence of a bad payment record may be occasion for the Clerk or Superintendent to require a new or larger deposit for the continuation of service. The deposit must be paid before service will be granted.

*(Code of Iowa, Sec. 384.84)*

**92.11 TEMPORARY VACANCY.** A property owner may request water service be temporarily discontinued and shut off at the curb stop when the property is expected to be vacant for an extended period. There shall be a \$30.00 fee collected for restoring service if the service is shut off at the curb stop. During a period when service is temporarily discontinued as provided

herein, there shall be no monthly minimum service charge as long as the water meter does not move. The City will not drainpipes or pull meters for temporary vacancies.

**92.12 EMERGENCY AND/OR BACKUP WATER USAGE OUTSIDE CORPORATE LIMITS.** If the Council desires, with a four out of five-majority vote, water may be supplied outside of the corporate limits in the case of an emergency and/or for a backup water source. Billing will be based on usage only and water consumed will be billed at 110 percent of the rate per 1,000 gallons as established in Section 92.02(2) of this chapter.

## **CHAPTER 93**

### **CROSS-CONNECTION CONTROL**

**93.01 Purpose**  
**93.02 Definitions**  
**93.03 Administrative Authority**

**93.04 Cross-Connection Control**  
**93.05 Repair of Back Flow-Prevention Assemblies**  
**93.06 Customer Noncompliance**

**93.01 PURPOSE.** The purpose of this chapter is to safeguard potable water supplies by preventing backflow into public water systems.

**93.02 DEFINITIONS.** For use in this chapter, the following terms are defined.

1. “Air-gap water distribution” means the unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet conveying potable water to the flood level rim of any tank, vat or fixture.
2. “Approved backflow-prevention assembly for containment” means a backflow-prevention assembly which is listed by the University of Southern California Foundation for Cross-connection Control and Hydraulic Research as having met the requirements of ANSI-AWWA Standard C510-89, Reduced Pressure Principle Backflow-prevention Assemblies for containment. The listing shall include the limitations of use based on the degree of hazard. The backflow-prevention assembly must also be listed by the International Association of Plumbing and Mechanical Officials.
3. “Approved backflow-prevention assembly for containment in a fire protection system” means a backflow-prevention assembly to be used in a fire protection system which meets the requirements of Factory Mutual Research Corporation (FM) or Underwriters Laboratory (UL). Devices sized smaller than two- and one-half-inch diameter, which have not been listed by Underwriters Laboratory (UL) or by Factory Mutual Research Corporation (FM) may be allowed if approved by the administrative authority.
4. “Auxiliary water supply” means any water supply on or available to the premises other than the water purveyor’s approved public water supply such as, but not limited to, a private well, pond or river.
5. “Containment” means a method of backflow prevention which requires the installation of a backflow-prevention assembly at the water service entrance.

6. "Contamination" means an impairment of the quality of the potable water which creates an actual hazard to the public health through poisoning or through the spread of disease by sewage, industrial fluids or waste. Also defined as "high hazard."
7. "Cross-connection" means any actual or potential connection or arrangement, physical or otherwise, between a potable water supply system and any plumbing fixture or tank, receptacle, equipment or device through which it may be possible for non-potable, used, unclean, polluted and contaminated water or other substance to enter into any part of such potable water system under any condition.
8. "Customer" means the owner, operator or occupant of a building or property which has a water service from a public water system, or the owner or operator of a private water system which has a water service from a public water system.
9. "Degree of hazard" means the rating of a cross-connection or water service which indicates if it has the potential to cause contamination or pollution.
10. "Double check valve backflow-prevention assembly" means a backflow-prevention device consisting of two independently acting internally loaded check valves, four properly located test cocks, and two isolation valves.
11. "High hazard cross-connection" means a cross-connection which may cause an impairment of the quality of the potable water by creating an actual hazard to the public health, through poisoning or through the spread of disease by sewage, industrial fluids or waste.
12. "Isolation" means a method of backflow prevention in which a backflow-prevention assembly is located at the cross-connection rather than at the water service entrance.
13. "Low hazard cross-connection" means a cross-connection which may cause an impairment of the quality of potable water to a degree which does not create a hazard to the public health, but which does adversely and unreasonably affect the aesthetic qualities of such potable waters for domestic use.
14. "Pollution" means an impairment of the quality of the potable water to a degree which does not create a hazard to the public health but which does adversely and unreasonably affect the aesthetic qualities of such potable water for domestic use. Also defined as "low hazard."
15. "Potable water" means water which is satisfactory for drinking, culinary and domestic purposes and meets the requirements of the health authority having jurisdiction.
16. "Public water system" means publicly owned or operated system consisting of source facilities and distribution system under the complete control of the administrative authority. Regulative control shall include any and all distribution piping connected to said system.
17. "Reduced-pressure principle backflow-prevention assembly" means a backflow-prevention device consisting of two independently acting internally loaded check valves, a different pressure relief valve, four properly located test cocks and two isolation valves.
18. "Registered backflow-prevention assembly technician" means a person who is registered with the State Health Department to test or repair backflow-prevention assemblies and report on the condition of those assemblies.

19. “Thermal expansion” means volumetric increase of water due to heating resulting in increased pressure in a closed system.

20. “Water service” means, depending on the context, the physical connection between a public water system and a customer’s building, property or private water system or the act of providing potable water to a customer.

**93.03 ADMINISTRATIVE AUTHORITY.** For the purpose of this chapter, the administrative authority is the Council acting through such persons or agencies the Council shall designate.

1. The administrative authority has the right to enter any property to inspect for possible cross-connections.

2. The administrative authority may collect fees for the administration of this program. Said fees shall be set by resolution of the Council.

3. The administrative authority shall maintain records of cross-connection hazard surveys, and the installation, testing and repair of all backflow-prevention assemblies installed for containment purposes.

**93.04 CROSS-CONNECTION CONTROL** The purpose of cross-connection control is to safeguard potable water supplies by preventing backflow into public water systems.

1. Plans shall be submitted to the City for review on all new water services in order to determine the degree of hazard. Upgrades of existing water service shall be treated as new water services for the purpose of this chapter.

~~2.~~—For contaminant other than private well sources, the Water Department, with the concurrence of the City, shall determine the type of backflow prevention assembly required for containment based on the degree of hazard. The City shall require the installation of the appropriate backflow prevention assembly by a qualified licensed plumber as specified in the most current edition of the Uniform Plumbing Code. The customer shall ensure that copies of records of the installation and of all tests and repairs made to all backflow prevention assemblies be submitted to the City within 15 days after testing and/or repairs are completed.

3. For private well sources, a complete separation between the Municipal Water System and the Private Well Piping System will be required. Under no circumstances shall there be any physical connection between these systems, regardless of use of mechanical backflow preventers. Any violation of the City’s cross-connection policy will be subject to any or all of the following: fines, municipal infractions and charges necessary to bring the public water supply back to DNR standards as specified by City Council resolution.

~~4.~~—The Superintendent and/or any authorized agent of the City shall have the authority and the right to enter any property to inspect for possible cross-connections.

**93.05 REPAIR OF BACKFLOW-PREVENTION ASSEMBLIES.** All repairs of backflow-prevention assemblies shall be performed by registered backflow-prevention assembly technicians. The registered backflow-prevention assembly technician shall not change the design, material or operational characteristics of a backflow-prevention assembly during repair or maintenance, and shall use only original manufacturer replacement parts. The registered backflow-prevention assembly technician shall report the repair of a backflow-prevention assembly to the customer and to the administrative authority on the form provided by the

administrative authority within 15 days of the repair. The reports shall include the list of materials or replacement parts used.

**93.06 CUSTOMER NONCOMPLIANCE.** The water service may be discontinued in the case of noncompliance. Noncompliance includes, but is not limited to, the following:

1. Refusal to allow the administrative authority access to the property to inspect for cross-connections.
2. Removal of a backflow-prevention assembly which has been required by the administrative authority.
3. Bypassing of a backflow-prevention assembly which has been required by the administrative authority.
4. Providing inadequate backflow-prevention when cross-connections exist.
5. Failure to install a backflow-prevention assembly which has been required by the administrative authority.
6. Failure to test and/or properly repair a backflow-prevention assembly as required by the administrative authority.
7. Failure to comply with the requirements of this chapter.